

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>ANDREW HOLMES,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Jury Trial Demanded</b>
	)	
<b>V.</b>	)	<b>Case No.</b>
	)	
<b>MEDICREDIT, INC.,</b>	)	Removal of Case No. 2022-AC07375
	)	St. Louis City Circuit Court
<b>Defendant.</b>	)	

**NOTICE OF REMOVAL**

Defendant Medcredit, Inc. (“Medcredit” or “Defendant”) hereby files its Notice of Removal of the above-captioned case to this Court and, and in support of removal, respectfully states as follows:

1. Medcredit is named as a defendant in Cause No. 2022-AC07375, filed in the Circuit Court of St. Louis City, State of Missouri, styled Andrew Holmes v. Medcredit, Inc. (the “State Court Action”).

2. The Petition in the State Court Action was filed with the Clerk of the Circuit Court of St. Louis County, Missouri on or about August 20, 2020. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings and orders served upon Defendant in the State Court Action are attached hereto as **Exhibit 1**.

3. In the State Court Action, Plaintiff alleges that Defendant violated a federal statute, the Fair Debt Collections Practices Act, 15 U.S.C. §1692 *et. seq.* (“FDCPA”) and the Telephone Consumer Protection Act of 1991 (“TCPA”), 47 U.S.C. §227 *et. seq.*

4. Any civil action is removable if the plaintiff could have originally brought the action in federal court. See 28 U.S.C. § 1441(a).

5. Under 28 U.S.C. § 1331, this Court has original federal question jurisdiction over Plaintiff's FDCPA and TCPA claims.

6. Accordingly, pursuant to 28 U.S.C. § 1441(a), Defendant has the right to remove the State Court Action to this Court, without regard to the citizenship or residency of the parties or the amount in controversy.

7. Defendant was formally served with the Summons and Petition on September 30, 2020. This removal is therefore timely pursuant to 28 U.S.C. § 1446(b).

8. By this Notice of Removal, Defendant does not waive any defense, jurisdictional or otherwise, which it may possess. Defendant also does not concede that Plaintiff has stated a claim against it.

WHEREFORE, in accordance with the authorities set forth above, Defendant hereby removes this action from the Circuit Court for St. Louis City, Missouri, to the United States District Court for the Eastern District of Missouri.

DATED: October 15, 2020.

Respectfully submitted,

**SPENCER FANE LLP**

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***Counsel for Defendant***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 15th day of October, 2020, the foregoing document was filed electronically with the Clerk of the Court, to be served by the Court's electronic notification system upon the following attorneys of record and sent via email to attorney listed below.

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